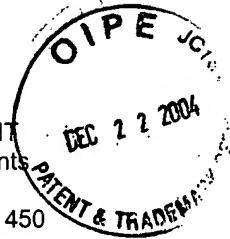


Mail Stop: AMENDMENT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450



Docket No.: 5005.1019DIV
 Date: December 20, 2004

IFW

In re application of: Johann ENGELHARDT, et al.
 Serial No.: 10/766,260
 Filed: January 27, 2004
 For: SCANNING MICROSCOPE AND COUPLING-OUT ELEMENT

Sir:

Transmitted herewith is a Response to Election Requirement (1 page) in the above-identified application.

Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
 Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
 No fee for additional claims is required.
 A filing fee for additional claims calculated as shown below, is required:

(Col. 1)		(Col. 2)		SMALL ENTITY RATE	LARGE ENTITY RATE	OR
FOR:	REMAINING	HIGHEST	PRESENT			
	AFTER	PREVIOUSLY	PRESENT			
AMENDMENT	PAID FOR	EXTRA				
TOTAL CLAIMS	* Minus 20	=	0	<input checked="" type="checkbox"/> \$ 25	<input type="checkbox"/> \$ 50	<input type="checkbox"/>
INDEP. CLAIMS	* Minus 3	=	0	<input checked="" type="checkbox"/> \$100	<input type="checkbox"/> \$200	<input type="checkbox"/>
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				<input type="checkbox"/> + \$180	<input type="checkbox"/> + \$360	<input type="checkbox"/>
				TOTAL: \$	OR	TOTAL: \$

* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

Also transmitted herewith are:
 Petition for extension under 37 C.F.R. 1.136
 Other:

Check(s) in the amount of \$0.00 is/are attached to cover:
 Filing fee for additional claims under 37 C.F.R. 1.16
 Petition fee for extension under 37 C.F.R. 1.136
 Other:

The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.

Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.

Any patent application processing fees under 37 C.F.R. 1.17.

Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

Cary S. Kappel, Reg. No. 36,561
 (signing for Erik R. Swanson, Reg. No. 40,833)
 DAVIDSON, DAVIDSON & KAPPEL, LLC
 485 Seventh Avenue, 14th Floor
 New York, New York 10018
 Tel: (212) 736-1940
 Fax: (212) 736-2427

I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on December 20, 2004.
 DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:
 Oliver Platz



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Re: Application of: **Johann ENGELHARDT et al.**
Serial No.: 10/766,260 Confirmation No.: 3405
Filed: January 27, 2004
For: SCANNING MICROSCOPE AND COUPLING-OUT ELEMENT
Art Unit: 2872
Examiner: Mark A. Robinson
Customer No.: 23280

December 20, 2004

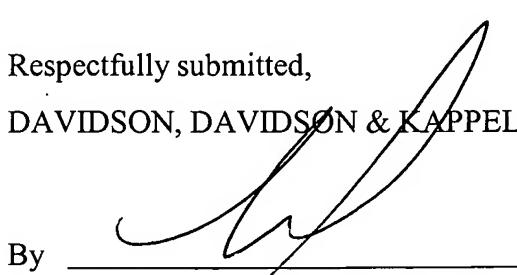
RESPONSE TO ELECTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Election Requirement dated November 22, 2004, applicants hereby elect the species of Figures 6 and 7 (Groups C and a), on which claims 1-15 read.

If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

Respectfully submitted,
DAVIDSON, DAVIDSON & KAPPEL, LLC
By 
Cary S. Kappel, Reg. No. 36,561
(signing for Erik R. Swanson, Reg. No. 40,833)

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